

REMARKS

Claims 1 - 21 are pending in this application. In the Office Action, the Examiner rejected claims 1-6, 8, 10-15, 17, and 19 under 35 U.S.C. § 102(e) as anticipated by United States Patent No. 5, 819,092 to Ferguson et al. The Examiner also rejected claims 7, 9, 16 and 18 under §103(a) as unpatentable over Ferguson et al in view of United States Patent No. 6,323,952 to Blower, Jr. et al. Claims 1-21 also stand rejected under § 101 and claim 19 is rejected under 35 U.S.C. 112 6th paragraph. Applicants respectfully traverse these rejections.

Amendments to Claims

Claims 1-19

Applicants have amended claims 1-19 to more clearly identify the claimed subject matter. The claim amendments are supported in the drawings, for example Figs. 23A-F (formerly Fig. 1-M) and in the specification:

As stated above, various vendors may be represented by a unique corresponding indicia coding, i.e. color, for differentiation purposes. As such, one may assess vendors and third parties as a comprehensive, integrated solution. Further, investment opportunities may be assessed by coding their coverage, strengths, and weaknesses in terms of web architecture framework. For example, the instant method may be used to provide a valuable perspective where new start-up companies are positioned in the overall web architecture solution.

Applicant's Application, p. 20.

No new matter has been added by Applicant's claim amendments.

Claims 20 and 21 have been cancelled.

Rejection of Claim 19 under 35 U.S.C. 112 6th paragraph

The Examiner rejected claim 19 under 35 U.S.C. § 112 6th paragraph and requested the Applicants to state whether they intend claim 19 to invoke 35 U.S.C. 112 6th Paragraph. (Office Action p. 4.) Applicants elect not to invoke 35 U.S.C. § 112 6th paragraph. The Examiner

invited Applicants to either amend claim 19 or explain why 35 U.S.C. § 112 6th paragraph should not be invoked. Applicants have amended claim 19 to replace "means" with --logic processor--.

Rejections Under 35 U.S.C. § 101

The Examiner rejected claims 1-21 under 35 U.S.C. § 101. The Examiner stated:

Though the claims recite method and "means" of displaying, presenting, conveying and presenting again, there is no technological apparatus which is manipulated to perform the steps and not in the technological arts, it is therefore non-statutory.

Applicant's arguments and referenced section of the specification, page 22, provide disclosure of a database, but no disclosure of the means to perform the method or system structure or components.

Applicants respectfully traverse this rejection.

Applicants claims as amended herein recite a method, computer program and system for "visualizing various components of a web architecture framework on an electronic display device to facilitate assessment of the components as part of a comprehensive, integrated solution."

Applicants submit that the claims as amended recite patentable subject matter. For example, the claims now clearly recite a physical act involving an electronic display device. Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejections Under 35 U.S.C. § 102

The Examiner rejected Claim 1 under section 102 as being anticipated by Ferguson et al (5,819,092). One embodiment of the claimed subject matter is shown in Figs 23A-F (formerly Fig 1-M).

Ferguson discloses "a visual editor that allows a developer to create an online service that consists of a set of standardized subservices." Col. 4, lines 34-36.

Claim 1 as currently amended recites:

A method for visualizing various components of a web architecture framework using an electronic display device to facilitate assessment of the components as part of a comprehensive, integrated solution comprising the steps of:

- (a) identifying strengths, weaknesses, and feature coverage of a product or service;
- (b) displaying on an electronic display device a pictorial representation of a web architecture framework including a plurality of components of the web architecture framework;
- (c) presenting information relating to the coverage of a product or service by non-textually indicia coding the components on the pictorial representation to indicate the availability of those components through the product or service;
- (d) presenting information relating to strengths of a product or service by non-textually indicia coding the components on the pictorial representation to indicate strengths of the products or services in relation to the coded components; and
- (e) presenting information relating to weaknesses of a product or service by non-textually indicia coding the components on the pictorial representation to indicate weaknesses of the product or service in relation to the coded.

wherein indicia coding the components facilitates assessment of the components as part of a comprehensive, integrated web architecture solution.

In the Advisory Action, the Examiner stated that Ferguson et al (5,819,092) discloses a pictorial representation in Figs. 7 and 8 and indicia coding in Figs. 8, 15, and 16. (See also Office Action date May 2, pp. 4-5.) For the Examiner's convenience, those Figures are shown below:

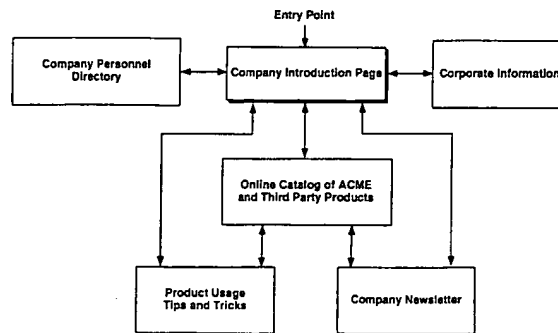


Figure 8

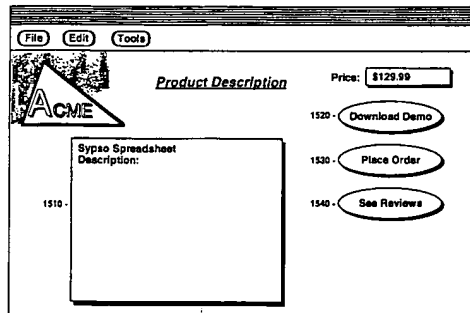


Figure 15

Payment Source	Account No.	Exp. Date
<input checked="" type="checkbox"/> VISA	011 234 543 290	12/31/95
<input type="checkbox"/> Master Card		
<input type="checkbox"/> American Express		
<input type="checkbox"/> Checking Acct.		

Figure 16

Applicants respectfully submit that the shading in Figs. 8, 15, and 16 does not constitute indicia coding as recited in the claims. The shading of Ferguson is merely ornamental and does not present information for visualizing various components of a web architecture framework to facilitate assessment of the components as part of a comprehensive, integrated solution, as recited by the claims.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP § 2131 (quoting Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed.

Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the . . . claim." MPEP § 2131 (quoting Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).

Ferguson does not disclose each element of claim 1. For example, claim 1 as amended herein recites indicia coding components of a web architecture framework to present information relating to "coverage of a product or service," "strengths of a product or service" or "weaknesses of a product or service" to "facilitate[] assessment of the components as part of a comprehensive, integrated web architecture solution." None of these elements are not taught or suggested by Ferguson. Claims 10 and 19 are directed to a computer program and system for effectuating the method of claim 1.

Accordingly, it is believed that the claims fully comply with § 102. Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejections Under 35 U.S.C. § 103

The Manual of Patent Examining Procedure (MPEP) requires that three basic criteria must be met to establish a *prima facie* case of obviousness.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

MPEP § 2142 (emphasis added.)

The Examiner rejected claims 7, 9, 16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Ferguson et al (5,819,092) in view of Blower, Jr. et al (6,323,952). (Office

Action, p. 7.) The Examiner relied on Blower to show texture, color, or shading coding and relied on Ferguson for the remaining elements of the claims.

Applicants do not claim exclusive rights in indicia coding *per se*. To the contrary, Applicants' claims are directed to a specific method, system, and computer program that use indicia coding for visualizing various components of a web architecture framework to facilitate assessment of the components as part of a comprehensive integrated solution. One embodiment is shown in Figs 23A-F (formerly Fig 1-M).

Blower shows indicia coding, but does not teach using indicia coding in the particular manner claimed by the Applicants. Ferguson teaches "a visual editor that allows a developer to create an online service that consists of a set of standardized subservices," but does not teach or suggest a method or system to facilitate assessment of products or services, as claimed by Applicants. Col. 4, lines 34-36. More specifically, Ferguson fails to teach or suggest indicia coding components of a web architecture framework to present information relating to "coverage of a product or service," "strengths of a product or service" or "weaknesses of a product or service" to "facilitate[] assessment of the components as part of a comprehensive, integrated web architecture solution" as recited in the claims.]

Accordingly, it is believed that the claims fully comply with § 103. Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 2-9 and 11-18 are allowable at least because they depend from an allowable independent claim.

SUMMARY

In summary, each of claims 1-19 is in condition for allowance. Applicants respectfully request reconsideration and withdrawal of the rejections.



Respectfully submitted,
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